

STATEMENT OF COMMON OWNERSHIP

Applicants' present invention, USSN 10/507,284, and the Filippini et al. reference (U.S. 6,913,630) were, at the time the invention of USSN 10/507,284 was made, owned by The Lubrizol Corporation.

RESPONSE AND REQUEST FOR RECONSIDERATION

Please enter the amendments as shown. Applicants have amended claim 1. Claim 1 has been amended to remove the “up to 0.3% by weight of water” in the fuel composition. Support for the amendment to claim 1 can be found in the specification. It is requested that the Examiner reconsider the present application in view of the above amendments and the following remarks.

Claims 1-17 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. The Applicants have amended Claim 1 to comply with the requirements of 35 U.S.C. 112, second paragraph. Accordingly, it is respectfully submitted that the rejections to Claims 1-17 should be withdrawn.

Claims 1-2 and 4-17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Filippini et al (U.S. Patent Number 6,913,630) in view of Hawley's Condensed Chemical Dictionary 13th Ed. and Wenzel (U.S. Pre-Grant Publication Number 2003/0033748). Additionally, Claim 3 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Filippini, Hawley's, Wenzel and Barbour et al (U.S. Pre Grant Publication Number 2004/0068922). Applicants respectfully traverse these rejections.

Applicants' present application and Filippini et al. were, at the time Applicants' present invention was made, owned by The Lubrizol Corporation. Therefore, Filippini et al. is disqualified as prior art under 35 U.S.C. 103(c) (See MPEP at 706.02(1)(1) & (2)). In light of the statement of common ownership, which disqualifies Filippini et al. as prior art under 35 U.S.C. 103(c); Hawley, Wenzel and Barbour are no longer relevant prior art. Applicants' respectfully submit that the claimed invention is novel and not suggested by or obvious from the cited art and the rejection should be withdrawn.

For the foregoing reasons it is submitted that the present claims are in condition for allowance. The foregoing remarks are believed to be a full and complete response to the outstanding office action. Therefore, an early and favorable reconsideration is respectfully requested. If the Examiner believes that only minor issues remain to be resolved, a telephone call to the Undersigned is suggested.

Any required fees or any deficiency or overpayment in fees should be charged or credited to The Lubrizol Corporation Deposit Account No. 12-2275.

Respectfully submitted,

THE LUBRIZOL CORPORATION

A handwritten signature in black ink, appearing to read "Jason S. Fokens", is written over a vertical line that separates the signature from the typed name below.

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